

ORIGINAL

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JAN 19 2007

at 2 o'clock and 00 min. in  
SUE BEITIA, CLERK

ROBERT W. LYONS (CABN 45548)  
IRVIN L. SIMONS (CABN 182082)

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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

**LODGED**  
JAN 16 2007  
3:00 PM  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

UNITED STATES OF AMERICA ,

Plaintiff,

vs.

HUGO SERNA,

Defendant.

Case No.: CR 05-00217DAE-01

STIPULATION AND ORDER  
RESCHEDULING SENTENCING HEARING

IT IS HEREBY STIPULATED between the parties and based upon such stipulation it is hereby ordered, that the defendant's sentencing hearing, currently scheduled for January 16, 2007 at 1:30 p.m. be continued and a new sentencing hearing date of Monday, April 9, 2007 at 1:30 p.m. is hereby set. The reason for this stipulation is because defense counsel has attempted to obtain the defendant's prior information, including a probation report from the Superior Court of California, County of Santa Clara Case No. 18801 and C9949338. The court would not release these reports until a judge signed an order directing them to unseal the confidential information. We are still awaiting the signed order from the judge to obtain these records, in order for defense counsel to prepare the objections to the pre-sentence report. In addition, defense counsel has discussed the further possibility of a 5k with Louis A. Bracco, Assistant United States Attorney.

1 It is so stipulated.

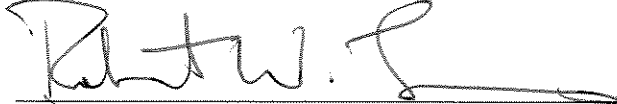
2 Dated:



LOUIS A. BRACCO  
Assistant United States Attorney

3 It is so stipulated.

4 Dated: 1-8-07



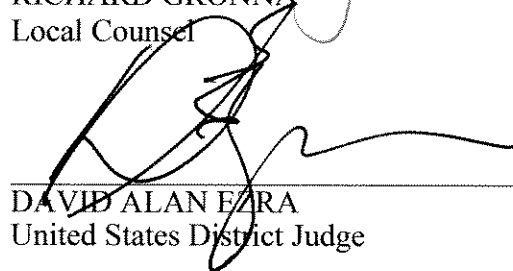
ROBERT W. LYONS  
Attorney for Defendant



RICHARD GRONNA  
Local Counsel

7 It is so ORDERED:

8 Dated:



DAVID ALAN EZRA  
United States District Judge